

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHRISTOPHER HUNT,

Plaintiff,

v.

KIMBERLY HINDEN, REGISTRAR  
OF MOTOR VEHICLES,

Defendant.

Civil Action No. 04-12291-EFH

**JOINT MOTION TO STAY CASE**

The parties to the above entitled action respectfully request that the Court stay the case for 90 days. As grounds, the parties state as follows:

This is an action under 42 U.S.C. § 1983 in which plaintiff alleges that the defendant violated his due process rights by refusing to reinstate his driver's license, which remains revoked under the Massachusetts "immediate threat" statute, M.G.L. c. 90, § 22(a).

On or about October 26, 2004, plaintiff filed a Verified Complaint and Motion for Temporary Restraining Order and Preliminary Injunction. On November 8, 2004, defendant filed an opposition to plaintiff's motion, and on November 16, 2004, plaintiff filed a supplemental memorandum in support of his motion. As of today's date, defendant has not answered or otherwise responded to plaintiff's complaint. Defendant intends to move to dismiss the complaint.<sup>1</sup>

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<sup>1</sup> Defendant received a copy of the complaint by facsimile on or about October 26, 2004, and by U.S. mail on or about October 28, 2004. While defendant did not receive from plaintiff a formal request to waive service, defendant is proceeding as if she has 60 days to

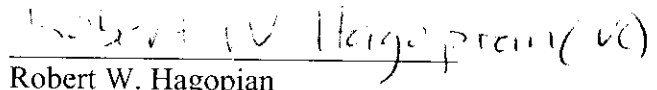
On November 18, 2004, the Court denied plaintiff's motion for preliminary relief. Plaintiff has filed a notice of appeal. If the Court of Appeals affirms this Court's order, plaintiff's present intention is to dismiss this case voluntarily.

In view of the fact that defendant's answer or other response may be due before the Court of Appeals decides plaintiff's interlocutory appeal, and of the fact that plaintiff will likely dismiss this case voluntarily if his appeal is unsuccessful, the parties respectfully request that the Court stay this case for 90 days.

Respectfully submitted,

CHRISTOPHER HUNT,

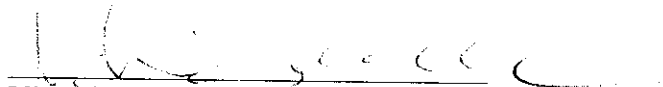
By his attorney,

  
Robert W. Hagopian  
BBO # 216580  
P.O. Box 282  
Belmont, MA 02478  
(781) 275-4892

KIMBERLY HINDEN, REGISTRAR OF  
MOTOR VEHICLES,

By her attorney,

THOMAS F. REILLY  
ATTORNEY GENERAL

  
Victoria S. Cole  
BBO # 654996  
Assistant Attorney General

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answer or otherwise respond to the complaint under Fed. R. Civ. P. 4(d)(3).

Government Bureau  
One Ashburton Place, Room 2019  
Boston, MA 02108  
617-727-2200, ext. 2083

Date: December 10, 2004

*Local Rule 7.1 Certification: The parties are filing this motion jointly.*